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RCA88796

Application Serial No. 09/581,709

REMARKS

Claims 1-3 and 5-13 remain pending in this application with claim 1 being amended by this response.

Applicant wishes to thank the Examiner for the courtesy extended in the telephone interview on Tuesday, October 3, 2006. In this interview the claim amendments made by this response were discussed. It was agreed that the amendments overcome the cited prior art and that no new issues were raised by the amendments.

Rejection of Claims 1-13 under 35 USC § 102(e)

Claims 1-13 are rejected under 35 USC § 102(e) as being anticipated by Casement et al. (U.S. Patent No.: 5,969,748).

The present claimed invention provides an apparatus for processing and outputting a program signal. The apparatus includes a data receiver for receiving a signal channel selection from a user. A tuner selects one of a plurality of signal channels in response to the signal channel selection from the user. The selected one of the plurality of signal channels includes a program signal. A signal output provides an output signal derived from the program signal. An auxiliary data decoder detects program related information included in each program signal. A central processing unit is operatively connected to the data receiver, the signal input, the signal output and the auxiliary data decoder. The central processing unit controls the output signal for preventing user access to the program signal upon detecting retuning of a previously selected channel for preventing exploitation of a time delay between tuning and receipt of program related information.

"Since program related information is transmitted periodically...a television receiver may experience a delay before receiving and decoding new program related information when a user selects a new channel...Therefore, when a user selects a new channel, the television receiver may take several seconds to detect and decode new

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program related information and take appropriate blocking action. The delay is a noticeable period during which a possibly objectionable program remains unblocked and may be viewed by unintended audiences. A user may attempt to exploit the above described delay and bypass such a blocking feature by repeatedly tuning to a particular channel to view or listen to portions of an objectionable program before the blocking feature can be activated" (Page 2, lines 12-31). Therefore, the present claimed invention "determines in step 238 whether the newly selected channel is the same as the previously selected channel in step 238...and user access to the new channel is prevented and the process of determining a program related information and whether the user selected blocking criteria is met is preformed thereafter" (page 9, lines 27-37).

Casement describes a television schedule system with a user interface which allows a user to control access to television programs by time, rating, content, and/or channel. Criteria for blocking television programs from being viewed are entered by a user with a password. A television program listing is selected for viewing or recording from an on-screen program guide. A viewer is prompted on the screen to enter a password if the selected program meets the blocking criterion. If a viewer enters the appropriate password, the selected program that meets the blocking criteria is unblocked. The blocking criterion is restored after the program is over or the program is no longer tuned to.

Although Casement describes preventing user access to programs, Casement is not concerned with detecting retuning of a previously selected channel for preventing exploitation of a time delay between tuning and receipt of program related information as in the present claimed invention. Casement simply prevents users from accessing programs by blocking programs after receiving V-chip rating information. This allows a user to potentially view the program after channel selection and prior to receiving the rating information. This problem may be exploited in Casement by continually tuning and retuning the same channel. Contrarily, the present claimed invention prevents the exploitation of the time delay associated with the receipt, detection and decoding of program related information and prevents a user from listening to or viewing portions of objectionable programs by repeatedly retuning a particular channel by preventing

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access to the program upon detecting retuning of the previous channel. Casement prevents a user from accessing a locked program if the user does not enter a proper password; however, Casement does not address the need to prevent exploitation of time delay if the user retunes a channel prior to receiving V-chip rating information as in the present claimed invention. Therefore, Casement neither suggests nor discloses "a central processing unit (112) operatively connected to said data receiver, said signal input, said signal output and said auxiliary data decoder, wherein said central processing unit controls said output signal for preventing user access to said program signal upon detecting retuning of a previously selected channel thereby preventing user access during a time delay between tuning and receipt of program related information" as recited in the present claimed invention.

Furthermore, the objective of Casement is to provide access control based on a criterion. This is wholly unlike the objective of present claimed invention which is to prevent user access to a program signal upon detecting retuning of a previously selected channel for preventing exploitation of a time delay between tuning and receipt of program related information. The present claimed invention provides an improvement to systems such as Casement, which block channels only upon receiving rating information. In systems such as Casement, a user has the ability to exploit the time delay between channel selection and receiving rating information and thereby view objectionable and blocked programs. The present claimed invention solves this problem by preventing access to the program upon detecting a retuning of the previous channel selection. Therefore, Casement neither suggests nor discloses "[a]n apparatus for processing and outputting a program signal, comprising ... a central processing unit (112) operatively connected to said data receiver, said signal input, said signal output and said auxiliary data decoder, wherein said central processing unit controls said output signal for preventing user access to said program signal upon detecting retuning of a previously selected channel thereby preventing user access during a time delay between tuning and receipt of program related information" as recited in the present claimed invention.

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As claims 2-3 and 5-13 are dependent on independent claim 1 it is respectfully submitted that these claims are patentable for the same reasons as discussed above in regards to independent claim 1. In view of the above remarks and amendments to the claims it is respectfully submitted that this rejection is satisfied and should be withdrawn.

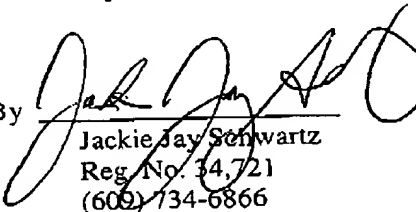
In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Casement et al. showing the above discussed features. It is thus further respectfully submitted that claims 1-3 and 5-13 are not anticipated by Casement et al.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,

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